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BEFORE THE ARIZONA CORPORATION COMMISSION

19E

COMMISSIONERS

MIKE GLEASON, Chairman
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2007 DEC 31 P 2:24

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
PALO VERDE UTILITIES COMPANY FOR AN
EXTENSION OF ITS EXISTING CERTIFICATE
OF CONVENIENCE AND NECESSITY.

Docket No. SW-03575A-05-0307

IN THE MATTER OF THE APPLICATION OF
SANTA CRUZ WATER COMPANY FOR AN
EXTENSION OF ITS EXISTING CERTIFICATE
OF CONVENIENCE AND NECESSITY.

Docket No. W-03576A-05-0307

**MOTION FOR EXTENSION OF TIME
(Terrazo Water Treatment Plant)**

Global Water – Santa Cruz Water Company (“Santa Cruz”) and Global Water – Palo Verde Utilities Company (“Palo Verde”)(collectively, the “Global Utilities”) respectfully request a six month extension of time to file the Approval of Construction (“AOC”) for the Terrazo Water Treatment Plant. This request is due to criminal damage to the Terrazo Plant from copper thieves.

Under Decision No. 68448 (Feb. 2, 2006), Santa Cruz was ordered to file the AOCs for “Phase I of the proposed water system with Docket Control as a compliance item in this case by December 31, 2007”¹ Phase I of the water system includes the Terrazo Water Treatment Plant, as well as distribution mains. Construction of Phase I is largely complete, and numerous AOCs are being filed today as in compliance with Decision No. 68448. However, Santa Cruz is unable to file the AOC for the Terrazo Plant at this time because the plant was damaged by copper thieves. Other than repair to the damage caused by the thieves, the Terrazo Plant is largely complete.

Arizona Corporation Commission

DOCKETED

DEC 31 2007

¹ Decision No. 68448 at 11:1-3.

DOCKETED BY

1 The criminal damage to the Terrazo Plant was discussed during a recent Global Utilities'
2 CC&N hearing on December 6, 2007.¹ During that hearing, Graham Symmonds, Senior Vice
3 President and Chief Technical Officer, testified about the damage from the copper thieves as
4 follows: "what happens is these guys break in and pull out all the electrical cables, and they don't
5 do it in a very professional way in many ways.... What they do is they will back up a truck, tie
6 chains onto the the big cables, and then just drive off and try to pull them all out. And what
7 happens is it's not only the panels that get destroyed but the conduit in the ground... a lot of that
8 conduit gets damaged when they are ripping everything out, and so it's a non-trivial exercise to
9 fix."

10 Mr. Symmonds' testimony about the damage is included in pages 34 to 37 of the transcript
11 of that hearing. A copy of these transcript pages are attached as attached as Exhibit 1. Mr.
12 Symmonds also referred to two exhibits in his testimony. First, he referred to the two police
13 reports concerning the damage. Those reports were Exhibit A-20 at the hearing, and are attached
14 here as Exhibit 2. Second, he referred to photos of the damage. Those photos were Exhibit A-21
15 at the hearing, and are attached here as Exhibit 3.

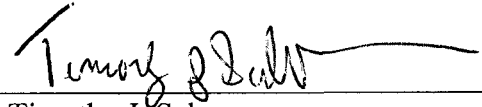
16 The damage to the Terrazo plant prevents the Global Utilities from obtaining an AOC for
17 the plant until the damage is repaired. Because the damage was caused by the copper thieves, the
18 delay was beyond the control of the Global Utilities. Moreover, the many other AOCs submitted
19 as part of Phase I show that Santa Cruz has diligently pursued compliance. In addition, the
20 Terrazo plant is basically complete except for repairs to the damage. Mr. Symmonds testified that
21 "actual homeowners down there needing service" would not happen for 4 to 6 months, so the delay
22 will not impact customers. Accordingly, the Global Utilities request an extension of time until
23 June 30, 2008 to file the AOC for the Terrazo plant.

24
25
26
27 ¹ Docket No. SW-03575A-06-0545 et al.

1 RESPECTFULLY SUBMITTED this 31st day of December 2007.

2 ROSHKA DEWULF & PATTEN, PLC

3
4
5 By



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12 Original + 15 copies of the foregoing
13 filed this 31st day of December 2007, with:

14 Docket Control
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17 Phoenix, Arizona 85007

18 Copies of the foregoing hand-delivered/mailed
19 This 31st day of December 2007, to:

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11 By 
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EXHIBIT

"1"

1 right?

2 A. Yes.

3 Q. And there should be a document in front of you
4 marked A-18.

5 A. Yes.

6 Q. And is that a copy of Commission Decision 68448?

7 A. It is.

8 MR. SABO: And, Your Honor, I would also ask for
9 administrative notice of that.

10 ALJ KINSEY: I will take administrative notice of
11 Decision No. 68448.

12 Q. (BY MR. SABO) And could you, Mr. Symmonds, turn
13 to Page 11, Lines 1 through 3.

14 A. Okay.

15 Q. And is that ordering paragraph what you believe
16 Staff was referring to?

17 A. That's my belief, yes.

18 Q. And that ordering paragraph requires an approval
19 of construction for Phase I of the water system by
20 December 31, 2007; is that correct?

21 A. Yes.

22 Q. And the water system they're talking about there,
23 is that the same as the southwest zone shown on the water
24 map?

25 A. It is.

1 Q. It's this area?

2 A. It is. It's this area down in our southwest
3 service area.

4 Q. And have the Applicants obtained an approval of
5 construction for part of the water system?

6 A. Yes. We're working through very hard trying to
7 complete all of the administration for applications for
8 AOC for the Phase I infrastructure. We have received some
9 AOCs, but not all of them as of yet.

10 Q. And in particular I would like to focus on one
11 element where an AOC has not yet been received, and that
12 is for the water distribution center; is that correct?

13 A. Correct. The Terrazo water distribution site has
14 been constructed and we're -- we ended up having all of
15 the copper stolen out of the thing twice, and so we're
16 trying to get the thing back or fixed up. We have a quote
17 from the constructors of \$135,000 to repair that theft.
18 And so I doubt that I'm going to be able to meet the AOC
19 requirement for that by 31 December 2007.

20 Q. And you're a little reluctant to do those repairs
21 until there's some development in the area and the
22 security system is a little improved?

23 A. Yeah. Ultimately, you don't need this water
24 distribution center from a physical sense until you have
25 people living there, customers requiring water. And so

1 that is still, you know, four to six months out, likely,
2 in terms of actual homeowners down in there needing
3 service. And so it's not a requirement that would serve
4 anybody, but I do have the requirement in the order.

5 Q. And was there a police report that was filed
6 relating to the theft?

7 A. Yes. There's two police reports.

8 Q. And are those marked as Exhibit A-20?

9 A. Yes.

10 Q. And then could you turn to Exhibit A-21.

11 A. Yes.

12 Q. And those are some photographs. Could you walk
13 us through what those photographs show?

14 A. Sure. These are some of the power distribution
15 panels that are located at the Terrazo water distribution
16 site. And what happens is these guys break in and pull
17 out all of the electrical cables, and they don't do it in
18 a very professional way in many ways.

19 What they do is they will back up a truck, tie
20 chains onto the big cables, and then just drive off and
21 try to pull them all out. And what happens is it's not
22 only the panels that get destroyed but the conduit in the
23 ground, and now you have got to try and fish new power
24 cables through that conduit. And a lot of that conduit
25 gets damaged when they're ripping everything out, and so

1 it's a non-trivial exercise to fix.

2 And so we're working on getting that thing back
3 up. I have asked the Archer Western guys for a schedule
4 on when they could have this thing repaired for me. I
5 don't have that right now, but I will file that as soon as
6 I get it.

7 Q. And Archer Western is the contractor you're
8 working with?

9 A. Correct. They're the design-build contractor for
10 that facility.

11 Q. And will the Applicants be making a motion in
12 light of this criminal damage in the appropriate docket
13 for an extension of time?

14 A. We will.

15 Q. And we have spent a lot of time discussing Staff
16 Condition No. 2. Do you have some suggested alternative
17 language for that condition?

18 A. Yes.

19 Q. And is that language set forth on Exhibit A-22?

20 A. Yes.

21 Q. And turning, then, to Staff Condition No. 4, does
22 that relate to the designation of assured water supply?

23 A. It does.

24 Q. And are the Applicants requesting two years for
25 the designation of assured water supply?

EXHIBIT

"2"

EXHIBIT A-20

PRESS HARD - YOU ARE MAKING 5 COPIES

P352432

VICTIM REQUEST FOR, OR WAIVER OF, PRE-CONVICTION AND/OR PRE-ADJUDICATION RIGHTS

Who is A Victim?

You are considered a victim if the offense committed against you is a felony, or a misdemeanor involving a physical injury, the threat of physical injury, or a sexual offense.

1

<<FORM USE>>

☐ Initial Contact☐ By Phone/Mail

DATE: 080607

☐ Victim-Initiated Change(s)☒ In Person

2

<<CASE IDENTIFYING INFORMATION>>

REPORTING AGENCY: PCJO

Phone #: 866 5111

Reporting Officer(s): 370

Complaint/Report/Citation #: 070806020

Location: N/W CORNER LOUIS JOHNSON WHITE

Report/Citation Date/Time:

Offense/Type of Crime: - BURG -

3

<<ARREST / DETENTION STATUS>>

☐ SUSPECT NOT IN CUSTODY☒ UNKNOWN ☐ KNOWN

ADULT

JUVENILE

SUSPECT #1

SUSPECT #2

☐ SUSPECT CITED AND RELEASED/REFERRED

ADULT JUVENILE

SUSPECT #1

DOB

SUSPECT #2

DOB

COURT

DATE:

TIME:

If a citation is issued, the accused may appear at any time prior to the date and time shown.

☐ SUSPECT IN CUSTODY - ADULT

INITIAL APPEARANCE:

SUSPECT #1

DOB

SUSPECT #2

DOB

COURT

DATE:

TIME:

CUSTODIAL AGENCY:

The adult suspect in custody will appear in court for an Initial Appearance within 24 hours of arrest.

☐ SUSPECT IN CUSTODY - JUVENILE

DETENTION HEARING:

SUSPECT #1

DOB

SUSPECT #2

DOB

DETENTION CENTER:

The juvenile suspect in custody will appear for a Detention Hearing at the county Juvenile Court or Detention Center within 24 hours of detention, but may be released at any time prior to this hearing.

4

<<VICTIM OR VICTIM'S LAWFUL REPRESENTATIVE>>

A. Who was the crime or offense committed against?

Name: GLOBAL WATER

Birth Date:

B. Are you the victim or lawful representative? (CHECK BOX THAT APPLIES)

☐ The crime was committed against me. I am the Victim.☒ One of the following applies to me. I am the victim's Lawful Representative. (CHECK ONE)☒ The victim has designated me as his/her lawful representative☐ The victim is incapacitated or deceased and I am an immediate family member☐ The victim is a legal entity (corporation, partnership or business).☐ The victim is minor child and I am a parent, an immediate family member or legal guardian☐ The victim is a vulnerable adult & I am the legal guardian.

Name: WILLIAM J. PRICE 123175

Relationship to victim

PROTECT SUPER

Victim's Lawful Representative 811813474

C. How can you be contacted?

Name: WILLIAM PRICE

Mailing Address: 1590 E. WESSON DR

Apt: -

Home Address (if different): 1590 E. WESSON DR

Apt: -

City: CHANDLER

State: AZ

Zip Code: 85249

Telephone: (Home)

Other number(s) where I may be reached:

623-326 2418

(Work)

D. ☒ I REQUEST my rights in this case.

OR

☐ I WAIVE (DECLINE) my rights in this case.

I understand that I must keep my mailing address and phone number current with the agency or court responsible for providing my rights. Failure to do so can mean that my rights are waived. I also understand in order to make any changes to the information supplied on this form, I must contact the appropriate agency or court.

Victim or Lawful Representative Signature / Date:

☒ [Signature]

080607

(FOR REPORTING AGENCY USE ONLY)

☐ REQUEST / WAIVER exception per A.R.S. § 13-4405(B) and § 8-386(B)

NOTES / COMMENTS:

PRESS HARD - YOU ARE MAKING 5 COPIES

P359370

VICTIM REQUEST FOR, OR WAIVER OF, PRE-CONVICTION AND/OR PRE-ADJUDICATION RIGHTS

Who is A Victim?
You are considered a victim if the offense committed against you is a felony, or a misdemeanor involving a physical injury, the threat of physical injury, or a sexual offense.

1 **<<FORM USE>>**
☒ Initial Contact
☐ Victim-Initiated Change(s)
☐ By Phone/Mail
☒ In Person

DATE: 072307

2 **<<CASE IDENTIFYING INFORMATION>>**

REPORTING AGENCY: PCSO Phone #: 8665111
 Reporting Officer(s): 370 Complaint/Report/Citation #: 070723040
 Location: NW White/Louis Johnson Report/Citation Date/Time: 072307 0752
 Offense/Type of Crime: BURG

3 **<<ARREST / DETENTION STATUS>>**

<input checked="" type="checkbox"/> SUSPECT NOT IN CUSTODY <input type="checkbox"/> UNKNOWN <input type="checkbox"/> KNOWN ADULT _____ JUVENILE _____ SUSPECT #1 _____ SUSPECT #2 _____ If an arrest/detention in this case is made, you will be notified at the earliest opportunity. If you are not notified of an arrest/detention within 30 days, you may obtain case status information by calling the law enforcement agency indicated in Box 2 above.	<input type="checkbox"/> SUSPECT CITED AND RELEASED/REFERRED ADULT _____ JUVENILE _____ SUSPECT #1 _____ DOB _____ SUSPECT #2 _____ DOB _____ COURT _____ DATE _____ TIME _____ If a citation is issued, the accused may appear at any time prior to the date and time shown.	<input type="checkbox"/> SUSPECT IN CUSTODY - ADULT INITIAL APPEARANCE: SUSPECT #1 _____ DOB _____ SUSPECT #2 _____ DOB _____ COURT _____ DATE _____ TIME _____ CUSTODIAL AGENCY: _____ The adult suspect in custody will appear in court for an Initial Appearance within 24 hours of arrest.	<input type="checkbox"/> SUSPECT IN CUSTODY - JUVENILE DETENTION HEARING: SUSPECT #1 _____ DOB _____ SUSPECT #2 _____ DOB _____ DETENTION CENTER: _____ The juvenile suspect in custody will appear for a Detention Hearing at the county Juvenile Court or Detention Center within 24 hours of detention, but may be released at any time prior to this hearing.
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4 **<<VICTIM OR VICTIM'S LAWFUL REPRESENTATIVE>>**

A. Who was the crime or offense committed against?

Name: GLOBAL WATER Birth Date: _____

B. Are you the victim or lawful representative? (CHECK BOX THAT APPLIES)

- ☐ The crime was committed against me. I am the Victim.
☒ One of the following applies to me. I am the victim's Lawful Representative. (CHECK ONE)
☒ The victim has designated me as his/her lawful representative
☐ The victim is incapacitated or deceased and I am an immediate family member
☐ The victim is a legal entity (corporation, partnership or business).
☐ The victim is minor child and I am a parent, an immediate family member or legal guardian
☐ The victim is a vulnerable adult & I am the legal guardian.

Name: WILLIAM JAMES PRICE Relationship to victim: Protect SUPER
 Victim's Lawful Representative B11813474

C. How can you be contacted?

Name: WILLIAM JAMES PRICE 123175
 Mailing Address: 1590 E. WESSON DR Apt: _____
 Home Address (if different): SAME Apt: _____
 City: CHANDLER State: AZ Zip Code: 85249
 Telephone: (Home) _____ Other number(s) where I may be reached: 623 326 2418
 (Work) _____

D. ☒ I REQUEST my rights in this case. OR ☐ I WAIVE (DECLINE) my rights in this case.

I understand that I must keep my mailing address and phone number current with the agency or court responsible for providing my rights. Failure to do so can mean that my rights are waived. I also understand in order to make any changes to the information supplied on this form, I must contact the appropriate agency or court.

Victim or Lawful Representative Signature / Date:

[Signature] 072307

(FOR REPORTING AGENCY USE ONLY)

☐ REQUEST / WAIVER exception per A.R.S. § 13-4405(B) and § 8-386(B)

NOTES / COMMENTS:

EXHIBIT

"3"

